IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No. 450 of 1985

For Approval and Signature:

HON'BLE **MISS JUSTICE R.M.DOSHIT**

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to civil judge ?

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CHANDULAL G THAKORE - Applicant(s)

Versus

SHANTABEN WD/O MANGALDAS CHHAGANLAL - Opponent(s)

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Appearance :

NOTICE UNSERVED for Petitioner

NOTICE UNSERVED for Respondent

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CORAM : HON'BLE MISS JUSTICE R.M.DOSHIT

Date : 08/08/2005

ORAL JUDGMENT

Feeling aggrieved by the decree for eviction passed by the learned Joint Civil Judge [JD], Bharuch in Regular Civil Suit No. 205 of 1980, the defendant has preferred the present Revision Application. The decree for eviction passed by the trial Court has been confirmed by the

learned Assistant Judge, Bharuch in Regular Civil Appeal No. 45 of 1983.

The learned advocate for the petitioner has been elevated to the Bench of this Court. The learned advocate for the respondent has passed away. Intimation sent to both the parties have remained unserved as they are not residing at the suit address. As the petitioner-defendant has not been residing at the suit address, the cause of action shall not survive. The Revision Application is accordingly disposed of. Rule is *discharged*. *Interim* relief stands vacated.

{Miss R.M Doshit, J.}

*Prakash**